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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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09/349,650 07/08/99 NYHAN

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023460 WM02/1106
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EXAMINER

JANVIER, J

ART UNIT

PAPER NUMBER

2162

DATE MAILED:

11/06/01

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

AG

Office Action Summary

Application No.

09/349,650

Applicant(s)

NYHAN ET AL.

Examiner

Jean D Janvier

Art Unit

2162

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 28 September 2001.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-50 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-50 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

Response to Applicant's Amendment

Applicant's arguments with respect to claims 1-20 have been considered but are moot in view of the new ground(s) of rejection (on page 9, it is disclosed that the Applicant's argument related to claims 1-20 is based on the present amendment of claims 1-20).

DETAILED ACTION

Specification

Status of the claims

Claims 1-20 were originally presented. After the first office action, claims 1-6, 8-13, 15, 18 and 20 were amended and claim 19 was canceled. Furthermore, claims 21-50 were added. Now, claims 1-50 are pending in the Application.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) The invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-18 and 20 are rejected under 35 U.S.C. 102(b) as being anticipated by Dedrick, U.S Patent 5,724,521.

The original rejection is still maintained, as presented below, since the newly cited limitations were addressed by the previous rejection.

As per claims 1-12, 18 and 20, Dedrick teaches a system comprising:

1.

A code or an account number associated with an advertisement received from an advertiser 18 or an advertiser server so that Metering Servers 14, upon determining where the characteristics of the end-users served by each of metering servers fall on the consumer scale associated with an advertisement from a particular advertiser, can identify which advertiser has submitted an Ad. and forward the information to the Clearinghouse Server 20 for either crediting or debiting the account of the advertiser whose advertisement has matched the an end-user profile (see abstract-col.14, lines 13-24- col.17, lines 17-35-col.12, lines 9-16);

A server or a Metering Server 14 of fig.1 in conjunction with the Statistic Compilation Process 26 of fig.2 capable of identifying when the advertisement is viewed by the user using client PC 12 wherein the code or the advertiser's account appended to the advertisement sends a signal back to the Metering server 14 of fig.1 indicative of how much of the said advertisement was viewed or consumed by the end-user so that appropriate credit or debit can take place (col.9, lines 27-48-col.12, lines 9-16); and

A computer or client **PC 12 of fig.1** on which the advertisement or electronic information is viewed by the user wherein the computer has a file stored on the client **PC 12 Hard disk or a GUI, containing information such as en-user variables**, on which an indicator is generated, the indicator providing information associated with the advertisement **such as how many Ad screens were viewed by the user (col.3, lines 29-67 and col.4, lines 1-2-col.9, lines 27-48).**

2. Wherein the information compiled by **Statistic Compilation Process 26 of fig.2** includes **not only** time at which the user viewed the advertisement, **but also how much of the Ad was consumed by the end-user so that the end-user's account can be debited or credited by Clearinghouse Server 20 of fig.1** (Keeping track of the time at which an Ad. was viewed by an end-user is anticipated by Dedrick-col.9, lines 27-48-col.12, lines 9-16-col.14, lines 13-24).

3. The system further comprising:

An advertising server or **Yellow Page Server 22 of fig.1** capable of delivering the advertisement to the computer or client **PC 12 of fig.1** of the user **via the Metering Server 14 of fig.1 (col.12, lines 9-16).**

4. The system further comprising:

A plurality of advertising servers or **Yellow Page Servers 22 of fig.1** capable of delivering an advertisement to the computer or client **PC 12 of fig.1** of the user wherein each of the advertisements includes **a code or advertiser's account or consumer scale**

associated with the advertisement and further wherein the servers are capable of identifying, using the **Statistic Compilation Process 26 of fig.2 in conjunction with Metering Server 14 of fig.1, not only** when the advertisement is viewed, **but also how much of the Ad was consumed, by the user so that the Publisher's/Advertiser's account can be debited or credited by Clearinghouse Server 20 of fig.1 (col.5, lines 1-19-col.12, lines 9-16-col.14, lines 13-24).**

5. Wherein the server generates a survey or query or quiz that may be accessed by the user to answer questions or fill out a questionnaire regarding an advertisement that he has viewed (col.3, lines 38-47-col.17, lines 6-15- further, a survey to answer questions about an Ad. so that the effectiveness of the Ad. can be measured was disclosed on page 2 line 20 to page 3 line 8 as prior Art).

6. Wherein the survey is dynamically generated, especially if the user is using the Interactive Process 76 of fig.5 as described in col. 17 and lines 6-15 and the advertiser is giving an incentive to the user or customer for reading advertising messages and before the user's account is credited by the Publisher/Advertiser 18 of fig.1, the user will be automatically quizzed, based on advertisements to which the user has been exposed (col.3, lines 38-47-col.17, lines 6-15- further, a survey to answer questions about an Ad. so that the effectiveness of the Ad. can be measured was disclosed on page 2 line 20 to page 3 line 8 as prior Art).

7. Wherein the survey obtains demographic information of the user **if the user is willing to provide such information or if the advertiser is willing to offer some kind of incentive to the user for providing demographic or psychographic data to the advertiser (anticipated by Dedrick) or Publisher/Advertiser 18 of fig.1 can specifically request end-user profile data from Billing Process 54 of fig.4 (col.14, lines 44-51-further, a survey to answer questions about an Ad. so that the effectiveness of the Ad. can be measured was disclosed on page 2 line 20 to page 3 line 8 as prior Art).**

8. Wherein the server or **Yellow Page Server 22 of fig.1** includes a plurality of categories or titles which identify advertisements from a particular **Publisher/Advertiser 18 of fig.1** (see abstract-col.11, lines 59-67).

9. Wherein the server or **Yellow Page Server 22 of fig.1** generates a survey or query that may be accessed by the user to answer questions or fill out a questionnaire regarding an advertisement that he has viewed (col.3, lines 38-47-col.17, lines 6-15-further, a survey to answer questions about an Ad. so that the effectiveness of the Ad. can be measured was disclosed on page 2 line 20 to page 3 line 8 as prior Art), wherein results of a plurality of surveys answered by a plurality of users assist in computing the effectiveness of the advertisement or in matching the user's variables (demographic or psychographic data) in a best-fit-pricing manner so that the Ad. delivered to the end-user client PC 12 of fig.1 via Metering Server 14 of fig.1 from **Yellow Page Server 22 of fig.1 matches the user's variables see abstract).**

10. Wherein the server receives questions generated by the advertiser **for a user who, using Interactive Process 76 of fig.5, can directly view advertisements and answer queries from Publisher/Advertiser 18 of fig.1 sent to the user via Yellow Page Server 22 of fig.1 (col.17, lines 6-15).**

11. Wherein the server receives questions and selected demographic information or **consumer scale associated with the advertisement (consumer variables which include a particular demographic profile that must be met by the user's variables so that Publisher/Advertiser 18 can be charged the highest price based on this consumer best-fit-pricing manner- see abstract- col.5, lines 1-4-col.11 lines 59 to col.12 line 16) generated by the advertiser.**

12. Wherein the advertiser or **Publisher/Advertiser** may access research results or **survey responses from users stored in Yellow Page Server 22 of fig.1 for further marketing processing** (anticipated by Dedrick-further, the importance of on-line research was disclosed on page 2 line 31 to page 3 line 9 as prior Art).

18.

A code attached **or a consumer scale or an electronic advertisement identifier (title)** to the advertisement (col.5, lines 1-4-col.11, lines 59-67) capable of generating a signal when the advertisement is viewed on the computer by the user wherein the code provides information relating to the viewing of the advertisement **upon comparing by**

the Consumer Scale Matching Process 39 of fig.3 the characteristics of the individual end-users with the Consumer Scale associated with the electronic advertisement and once the Metering Servers 14 of fig.1 have determined where the characteristics of the end-users served by the Metering Servers 14 of fig.1 fall on the Consumer Scale associated with the advertisement, then the electronic advertisement will be delivered to the user for viewing via client PC 12 of fig.1 (see abstract-col.9, lines 27-47-col.17, lines 16-29) or compiling statistical data by Statistical Compilation Process 26 of fig.2 using client PC 12 GUI (col.9, lines 27-47-col.17, lines 16-29) regarding viewed advertisements and these data can be transferred to Yellow Page Servers 22 of fig.1 via Metering Servers 14 of fig.1 where they will be made available to Publisher/Advertiser 18 of fig.1 for further marketing processing; and

A server or Yellow Page Servers 22 of fig.1 receiving from the computer or client PC 12 of fig.1 of the user via Metering Servers 14 of fig.1 the signal or feedback or statistical data compiled by Statistical Compilation Process 26 of fig.2 using client PC 12 GUI (col.9, lines 27-47-col.17, lines 16-29) regarding viewed advertisements where these data will be made available to Publisher/Advertiser 18 of fig.1 for further marketing processing

20. Wherein the information includes time at which the advertisement was viewed by

the user (anticipated by Dedrick- statistical data compiled by Statistical Compilation Process 26 of fig.2 should contain, among other things, time at which the Ad. was viewed by the user-see discussion on claim 2).

As per claims 13-17, Dedrick teaches a method comprising the steps of:

13.

Providing the advertisement viewable through an on-line network or WAN (col.3, lines 6-9) accessible by a computer or client PC 12 of fig.1 of the user;

Attaching a code or a consumer scale or an electronic advertisement identifier (title) to the advertisement (col.5, lines 1-4-col.11, lines 59-67);

Identifying when the advertisement has been viewed by the user upon comparing by the Consumer Scale Matching Process 39 of fig.3 the characteristics of the individual end-users with the Consumer Scale associated with the electronic advertisement and once the Metering Servers 14 of fig.1 have determined where the characteristics of the end-users served by the Metering Servers 14 of fig.1 fall on the Consumer Scale associated with the advertisement, then the electronic advertisement will be delivered to the user for viewing via client PC 12 of fig.1 (see abstract-col.9, lines 27-47-col.17, lines 16-29); and

Storing information in the computer or client PC 12 of fig.1 Hard disk of the user wherein the information relates to statistical data regarding viewing

advertisements compiled by Statistical Compilation Process 26 of fig.2 using client PC 12 GUI (col.9, lines 27-47-col.17, lines 16-29).

14. The method further comprising the step
of:

Generating a survey or query or quiz that may be accessed by the user to answer questions or fill out a questionnaire regarding an advertisement that he has viewed (col.3, lines 38-47-col.17, lines 6-15- further, a survey to answer questions about an Ad. so that the effectiveness of the Ad. can be measured was disclosed on page 2 line 20 to page 3 line 8 as prior Art).

15. The method further comprising the step
of:

Dynamically generating a survey, especially if the user is using the Interactive Process 76 of fig.5 as described in col. 17 and lines 6-15 and the advertiser is giving an incentive to the user or customer for reading advertising messages and before the user's account is credited by the Publisher/Advertiser 18 of fig.1, the user will be automatically quizzed, based on advertisements to which the user has been exposed (col.3, lines 38-47-col.17, lines 6-15- further, a survey to answer questions about an Ad. so that the effectiveness of the Ad. can be measured was disclosed on page 2 line 20 to page 3 line 8 as prior Art).

16. The method further comprising the step
of:

Generating survey questions based on information received from the advertisers
or **Publisher/Advertiser 18 of fig.1 for a user who, using Interactive Process 76 of
fig.5, can directly view advertisements and answer queries from
Publisher/Advertiser 18 of fig.1 sent to the user via Yellow Page Server 22 of fig.1
(col.17, lines 6-15).**

17. The method further comprising the step
of:

Computing effectiveness of the advertisement based on survey results obtained
from users exposed to the advertisement and from users not exposed to the advertisement
**upon using
Yellow Page Server 22 of fig.1 to generate a survey or query that may be accessed by
the user to answer questions or fill out a questionnaire regarding an advertisement
that he has viewed (col.3, lines 38-47-col.17, lines 6-15- further, a survey to answer
questions about an Ad. so that the effectiveness of the Ad. can be measured was
disclosed on page 2 line 20 to page 3 line 8 as prior Art), or in matching the user's
variables (demographic or psychographic data) in a best-fit-pricing manner so that
the Ad. delivered to the end-user client PC 12 of fig.1 via Metering Server 14 of fig.1
from Yellow Page Server 22 of fig.1 matches the user's variables see abstract).**

Claims 21-50 are rejected under 35 U.S.C. 102(b) as being anticipated by Dedrick, U.S Patent 5,724,521.

As per claim 21, Dedrick teaches a system comprising the following-

21.

an administration computer or **Clearinghouse Server 20** and/or **Metering Server 14 of fig.1 (figs. 6a- 7b);**

a user computer or **client system 12 of fig. 1;**

an advertisement message **received from an advertiser 18 of fig.1 via Yellow Page Server 22 to be displayed on client system 12 screen once downloaded from Metering Server 14 if the user's characteristics match the advertiser's criteria (see abstract and fig. 7a); and**

a set of computer instructions executed on the user computer or **client system 12** in association with activation of the advertisement message, facilitating (col. 3: 29 to col. 4: 2; col. 9: 28-48; fig. 2):

generating a signal in association with activation of the advertisement message or **electronic information** on the user computer or **client system 12** to the administration computer or **Metering Server 14 of fig.1 (col. 9: 28-48; fig.2); and**

storing, in association with the signal, within memory or in **RAM or in a Hard disk drive** on the user computer or **client system 12** a value received from the administration computer or **Metering Server 14 of fig.1** in response to the signal and

indicative of activation of the advertisement message, **which indicates that the statistics about the ad consumption by the user has been properly received and based on this information, after a proper scale has been determined, a credit will be applied to the user's account (Anticipated by Dedrick-col. 9: 28-48; fig.2; col. 6: 64 to col. 7: 65; figs. 6a- 7b).**

See col. 9: 28-48; fig.2; col. 6: 64 to col. 7: 65; **figs. 6a- 7b and abstract.**

As per claims 22-33, Dedrick teaches a system comprising the following limitations-

22. Wherein the administration computer includes executable computer instructions for:

receiving the signal from the user computer or client system 12 indicating of **advertisement consumption by the user as compiled by Statistic Compilation Process 26 (col. 9: 28-48 and fig.2); and**

transanitting, in response to the receiving the signal, a message to the user computer resulting in the user computer performing the storing a value step, which **indicates that the statistics about the ad consumption by the user has been properly received and based on this information, after a proper scale has been determined, a credit will be applied to the user's account (Anticipated by Dedrick-col. 9: 28-48; fig.2; col. 6: 64 to col. 7: 65; figs. 6a- 7b).**

23. The above system further comprising a cookie or a file storable on the user computer or client system 12 in the form of client activity monitor 24 or statistic

compilation process 26 of fig.2 (col. 7: 1-15) and wherein the cookie or file contains the value, which indicates that the statistics about the ad consumption by the user has been properly received and based on this information, after a proper scale has been determined, a credit will be applied to the user's account (Anticipated by Dedrick- col. 9: 28-48; fig.2; col. 6: 64 to col. 7: 65; figs. 6a- 7b).

24. Wherein the cookie **or file** represented by **client activity monitor 24 or statistic compilation process 26 of fig.2** comprises a time value corresponding to activation of the advertisement message on the user computer **or client system 12** (Anticipated by Dedrick- col. 9: 28-48 and fig.2: col. 16: 51-58).

25. Wherein the cookie **or file represented by statistic compilation process 26 of fig.2** comprises an identification of the advertisement message, **as anticipated by Dedrick** (col. 9: 28-48).

26. Wherein the user computer **or client system 12** includes a record of advertisement messages activated on the user computer **as compiled by statistic compilation process 26 of fig. 2 and transmitted to Metering Server 14 upon request** (col. 6: 64-67; col. 9: 28-48).

27. Wherein the record further stores information corresponding to times at which advertisement messages, including embedded code for invoking the generating a signal,

have been activated on the user computer or **client system 12 monitor** (Anticipated by **Dedrick- col. 9: 28-48; col. 16: 51-58; col. 17: 6-29**).

28. The above system further comprising an advertisement server or **YellowPage Server 22 of fig.1** that transmits the advertisement message to the user computer or **client system 12 through Metering Server 14 of fig.1 (fig. 7a)**.

29. Wherein the administration computer or **Metering Server 14 of fig.1** includes executable instructions for providing survey questions to the user computer or **client system 12, col. 17: 6-29- (Anticipated in any system that measures advertising effectiveness- col. 3: 29-59; col. 13: 64 to col. 14: 12)**.

30. Wherein at least one of the survey questions is based upon at least the value within memory or **personal profile database 27** of the user computer or **client system 12** indicative of the activation of the advertisement message, **which ensures that the user has actually consumed the electronic information or ad upon reading the ad or taking some other appropriate actions especially when advertiser 18 is paying a higher premium if the user characteristics score high on the consumer scale, col. 17: 6-29- (Anticipated in any system that measures advertising effectiveness- col. 3: 29-59; col. 13: 64 to col. 14: 12)**.

31. Wherein the survey questions include requests for demographic information of a respondent (**col. 3: 29-59; col. 7: 16-25**).

32. The above system further comprising analytical tools that analyze results from a plurality of survey results to render data indicative of activated advertisement effectiveness (Anticipated by Dedrick's system - col. 17: 16-29).

33. Wherein at least one question. of the survey questions **or query** is supplied by an advertiser (col. 17: 6-29).

As per claims 34-50, Dedrick teaches a method comprising the following steps-

34.

receiving, by a user computer or client system **12 of fig. 1 via Metering Server 14**, an advertisement **transmitted from YellowPage Server 22 to Metering Server 14 having an anticipated** embedded code, **which clearly identifies among other things the source of the ad so that advertiser 18 can be billed (figs. 6a-7b);**

generating, by the user computer **or client system 12**, in accordance with the embedded code **or advertising identifier** and in association with activation of the advertisement message **or electronic information** on the user computer **or client system 12** a signal for an administration computer or **Metering Server 14 of fig.1** (col. 9: 28-48; fig.2); and

storing within memory or in **RAM or in a Hard disk drive** on the user computer **or client system 12** a value received from the administration computer or **Metering Server 14 of fig.1** in response to the signal and indicative of activation of the

advertisement message, **which indicates that the statistics about the ad consumption by the user has been properly received and based on this information, after a proper scale has been determined, a credit will be applied to the user's account (Anticipated by Dedrick-col. 9: 28-48; fig.2; col. 6: 64 to col. 7: 65; figs. 6a- 7b).**

Claims 35-45 and 48 contain limitations addressed in claims 22-32 and 33 respectively and therefore, these limitations of claims 35-45 and 48 are rejected under a similar rationale as respectively applied in claims 22-32 and 33.

46. The above method further comprising the step of:

comparing survey results of exposed and non-exposed users to render the data indicative of activated advertisement effectiveness for a particular advertisement **(It is anticipated in the art of advertising over a computer network that a user who was not exposed to an ad cannot effectively answer a quiz about the ad, especially if the user will be compensated for reading the ad. Further, in the Dedrick's system, the user personal profile database will clearly show whether or not the user was exposed to the ad when the information compiled by the statistic compilation process is transmitted to the Metering Server 14 for analysis-col. 9: 28-48; col. 17: 6-29).**

47. The above method further comprising the step of providing on-line access to the data indicative of activated advertisement effectiveness **received from client system 12 personal profile database by Metering Server 14 to be transmitted to ClearingHouse Server 20 wherein it will be used to bill the Advertiser 18 accordingly or made**

available to Advertiser 18, who will use the information to further target the user, as anticipated by Dedrick (col. 9: 28-48; col. 17: 6-29; col. 14: 25-51).

49. The above method further comprising the steps of:

rendering advertisement effectiveness values based on survey results obtained from user exposed to the advertisement and from users not exposed to the advertisement **(It is anticipated in the art of advertising over a computer network that a user who was not exposed to an ad cannot effectively answer a quiz about the ad, especially if the user will be compensated for reading the ad. Further, in the Dedrick's system, the user personal profile database will clearly show whether or not the user was exposed to the ad when the information compiled by the statistic compilation process is transmitted to the Metering Server 14 for analysis- col. 9: 28-48; col. 17: 6-29).**

50. The above method further comprising the step of

receiving, by an administration entity associated with the administration computer or **Metering Server 14**, questions and selected demographic information provided by an advertiser as **part of the advertisement criteria that should at least be met by a specific user so that ClearingHouse Server 20 can bill the advertiser for displaying a unit of information or ad to the client system 12, as taught by Dedrick (figs. 6a-7b; col. 17: 6-29; col. 14: 13-67).**

Conclusion

Although the following references were not used in the Office Action, they were highly considered by the Examiner. Applicants are further directed to consult these references.

WO 97/22074 to Goldhaber discloses, among other things, a system for paying a customer for viewing an ad on the Internet wherein the customer is specifically targeted using profile information provided by the customer.

WO 97/40514 to Shaw discloses, among other things, a system for transmitting advertisement to a user using a computer and wherein statistical data are collected so that the effectiveness of the system can be determined.

US Patent 6, 009, 410 to Lemole et al discloses, among other things, a system for providing customized advertisement to a user via a computer network wherein a cookie file is placed on the user computer so that data regarding previously visited web sites can be collected and used in customizing a personal page for the user.

“New Service Rewards Users For Viewing Web Ads” from the Gale Group Newsletter DB discloses a system for compensating a user for viewing a web ad and wherein the user is asked to fill out a short quiz about the viewed ad and the response is subsequently forwarded to the advertiser of the ad who then rewards the user.

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication from the Examiner should be directed to Jean D. Janvier, whose telephone number is (703) 308-6287). The aforementioned can normally be reached Monday-Thursday from 10:00AM to 6:00 PM EST. If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's Supervisor, Mr. Eric W. Stamber, can be reached at (703) 305- 8469.

For information on the status of your case, please call the help desk at (703) 305-3900. Further, the following fax numbers can be used, if need be, by the Applicant(s):

After Final- 703-746-7238

Official Draft-703-746-7239

Non-Official Draft- 703-746-7240



**ERIC W. STAMBER
PRIMARY EXAMINER**

Application/Control Number: 09/349,650

Art Unit: 2162

Please provide support, that is page and line numbers, for any amended or new claim, otherwise any new claim language that is introduced in an amended or new claim will be considered as new matter.

10/24/01